

71-C-391

D. C. Form No. 106A Rev.

TITLE OF CASE				ATTORNEYS			
<p>KEN DIEM</p> <p>vs</p> <p>PRODUCTIVE ACRES MANUFACTURING COMPANY, A Corporation of the State of Iowa</p>				<p>For plaintiff: <span style="float: right;">583-3175</span></p> <p>Warren F. Young, Richard L. Peaster YOUNG &amp; PEASTER Center Office Bldg., Suite 540 630 West 7th Street Tulsa, Oklahoma 74127</p> <p>For defendant:</p> <p>Dan A. Rogers <span style="float: right;">583-5111</span> 1311 Petroleum Club Building Tulsa, Oklahoma 74119</p>			
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.		
J.S. 5 mailed 12-1-71	Clerk	11-5-71	Young	15 00			
		11-11-71	C.D.No.22		15 00		
J.S. 6 mailed 3-1-73	Marshal						
Basis of Action: Breach of contract & Guarantee Agreement	Docket fee						
	Witness fees						
Action arose at:	Depositions						

DATE	PROCEEDINGS	Date Order or Judgment Noted
11-5-71	Complaint filed. Summons issued. r	
11-18-71	Summons, ret. & filed: served by delivering copy to H. S. Palmer, Pres. of Productive Acres Mfg. Co., Oskaloosa, Ia. 11-8-71. (\$19.36)g	
<u>12-15-71</u>	Answer of Deft., filed. r	
1-4-72	Case set for pre-trial hearing 1/12/72 at 1:30 p.m. (LB-J) rm	
1-12-72	Case stricken from pre-trial assignment of this date, to be reset on next pre-trial docket. (LB-J)hm	
2-3-72	Plaintiff's interrogatories pursuant to Rule 33, filed. g	
2-14-72	Request for Jury Trial, filed by the Plaintiff. v	
2-23-72	Case set for pre-trial Monday 3-13-72 at 10:00 a.m. (LB-J)hm	
3-7-72	Def.'s answers to pltf.'s interrogatories, pursuant to Rule 33, filed.rm	
3-13-72	Pre-trial hearing held. Pltf. to prepare pre-trial order within 20 days and case to be tried to a jury. (LB-J)hm	
4-10-72	Case set for jury trial 5-22-72 at 10:00 a.m. (LB-J)hm	
4-27-72	Pltf's request for extension of time to file PT order, filed. hm <i>only to jury</i>	
5-2-72	Order, filed, granting extension until 5-5-72 to file PT order. (LB-J)hm (copies mailed)	
5-17-72	Depositions of Willard Overton, Michael J. Galer and Cloyce D. Palmer, with pltf's exhibits 1,2,3,4,5&6, filed. (Fees: \$193.10)hm	
5-19-72	Deposition of James T. Hollaway, filed. g	
5-22-72	Case called for jury trial and passed to 9:00 A.M., May 24, 1972.(LB-J)hm	
<u>5-23-72</u>	Pre-trial order, filed. (LB-J)hm	
5-23-72	Case stricken from jury trial of 5-24-72, to be reset on next jury docket. (LB-J)hm	
10-31-72	Pltf's exhibits to be introduced at time of trial, filed. hm	
12-6-72	Case set for jury trial 1-15-73 at 9:30 a.m. (LB-J)hm	
12-14-72	Interrogatories to the Deft., Productive Acres Manufacturing Co, filed.v	
1-3-73	Defendant's answers to plaintiff's interrogatories pursuant to Rule 33 filed. h	
1-15-73	Case called for jury trial and passed to 9:30 a.m. 1-16-73. (LB-J)hm	
1-16-73	Plaintiff's requested instructions, filed. hm	
<u>1-16-73</u>	Case tried to a jury. Jury returns at 6:00 p.m. with a verdict finding in favor of the Pltf. in the amt. of \$17,000.00. Verdict ordered received, read and filed in open court. (LB-J)hm	
1-16-73	Instructions to the Jury, filed in open court. hm	
1-16-73	Exhibits, filed. hm	
1-18-73	Ordered by the Court that the deft. file a trial brief on all issues involved within 10 days. (LB-J)hm	
1-22-73	Deft's motion for judgment notwithstanding verdict, filed. hm	
2-7-73	Joint application for dismissal, filed. hm	
2-9-73	Order of dismissal with prejudice, filed and entered.(LB-J)rm - copies mailed	